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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,539	01/16/2002	David C. Robinson	110238	7724
27074	7590	11/20/2006	EXAMINER	
OLIFF & BERRIDGE, PLC. P.O. BOX 19928 ALEXANDRIA, VA 22320			GRANT II, JEROME	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/683,539

Applicant(s)

ROBINSON ET AL.

Examiner

Jerome Grant II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-9,11-19,22-26 and 28-34 is/are rejected.
- 7) ☒ Claim(s) 3,4,10,20,21 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

JEROME GRANT  
PRIMARY EXAMINER

**Detailed Action**

1.

**Claims Objected to as Improper Form**

Claims 1-17 are objected to as not containing the proper format. Claims should be identified numerically , i.e.,

Claim 1. A method for positioning.....

2.

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: it has not been submitted with the application.

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3.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 5-9, 13, 14, 16, 17, 18, 19, 22-26, 30, 31, 33, 34 rejected under 35 U.S.C. 102(e) as being anticipated by Wright.

With respect to claim 1, Wright teaches a method for positioning a print integrity image capture device, comprising: providing electronic document data (bar code) having a print integrity, see paragraph 59, line 4, regarding the integrity information to the image processor 210; identifying a location (lead page of a document, taught at page 58, lines 9-13) having integrity markings to be provided on a tangible copy of at least a page generated from the electronic document data (generated from a hard copy document previously stored in a database); printing the tangible copy based on the electronic document data (see paragraph 59, lines 9-15); automatically adjusting an image capture device location based on the identified integrity making location from the tangible print (paper with identifier is scanned, the information in the identifier carries with it instructions for performing the scan, see paragraph 57, lines 2); and capturing an

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image of at least a portion of a tangible print base on the identified image capture location, see paragraph 59, lines 15-21 which teaches scanning after printing.

With respect to claims 2 and 19, the limitation is inherent with respect to the teaching of paragraph 65, last six lines.

With respect to claims 5 and 22, Wright teaches determining the location of the marks on the printing electronic documents, see paragraph 66, where a plurality of global identifiers can be used.

With respect to claims 6 and 23, Wright teaches integrity markers, global identifiers are part of the production of management system. See paragraphs 57, lines 1-3 and paragraph 65, lines 7-9. See also para. 38.

With respect to claims 7, 8 and 24, 25, Wright teaches labels are attached to the document 11/53. A tangible print is generated for each page of a document to be identified form printing. See paragraphs 39 and 40.

With respect to claims 9 and 26, Wright teaches the image capture device is a camera 110, see paragraph 49. automatically adjusting an image capture device location based on the identified integrity making location form the tangible print (paper with identifier is scanned, the information in the identifier carries with it instructions for

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performing the scan, see paragraph 57, lines 2); and capturing an image of at least a portion of a tangible print base on the identified image capture location, see paragraph 59, lines 15-21 which teaches scanning after printing.

With respect to claims 13 and 30, Wright teaches a paper gateway 225 as the page authoring tool.

With respect to claims 14 and 31, Wright teaches meta data elements according to paragraph 53, lines 6.

With respect to claims 16 and 33, See para. 60, lines 11 and paragraph 66.

With respect to claims 17 and 34, see figures 9b, 9e, 10, 10a and 10b.

With respect to claim 18, Wright teaches, Wright teaches a method for positioning a print integrity image capture device, comprising: providing electronic document data (bar code) having a print integrity, see paragraph 59, line 4, regarding the integrity information to the image processor 210; identifying a location (lead page of a document, taught at page 58, lines 9-13) having integrity markings to be provided on a tangible copy of at least a page generated from the electronic document data (generated from a hard copy document previously stored in a database); Wright teaches labels are attached to the document 11/53. A tangible print is generated for each

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page of a document to be identified form printing . See paragraphs 39 and 40. Wright teaches printing the tangible copy based on the electronic document data (see paragraph 59, lines 9-15); automatically adjusting an image capture device location based on the identified integrity making location form the tangible print (paper with identifier is scanned , the information in the identifier carries with it instructions for performing the scan, see paragraph 57, lines 2); and capturing an image of at least a portion of a tangible print base on the identified image capture location, see paragraph 59, lines 15-21 which teaches scanning after printing.

4.

**Claims Rejected as Being Obvious over Wright**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 11 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright.

With respect to claims 11 and 28, Wright teaches all of the subject matter upon which the claim depends except for the specific use of the raster image processor. The processor 210 or 225 is a processor that works in tandem with an imager such as 110. Although processors are not the raster type, it would have been obvious to program the processor to read data from the scanner in a raster format so that data is ready in a highly correlated manner by the performing of adjacent scanned data.

5.

Claims 12, 15, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wright in view of Klotz (5,682,540)**.

With respect to claims 12, 15, 29, 32 Wright teaches using codes for processing markings on documents but does not teach the specific use of glyph codes.



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However, Klotz teaches the use of glyph codes for providing markings on a document. See col. 6, lines 35-44 of Klotz.

Since, Wright and Klotz are both directed toward the use of codes in identifying documents for processing, the specific use of glyph codes would have been contemplated by Wright in view of Klotz.

It would have been obvious to replace the codes taught by Wright in place of the glyph codes taught by Klotz for the purpose of coding documents for identification purposes.

6.

**Claims Objected to As Containing Allowable Subject Matter**

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Claims **3, 4, 10, 20, 21, 27** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon. – Thurs. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore, can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II